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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)		Docket Number (Optional) 47524/P124US/10108968
First Named Inventor:	James A. Campbell	
Application Number:	Art Unit:	2614
Examiner:	W. J. Deane	
Filed:	October 18, 2001	
Title:	SYSTEM AND METHOD FOR PROVIDING SEGMENTED APPLICATIONS	
<p>Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.</p> <p>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.</p> <p>NOTE: A grantable petition requires the following items:</p> <ul style="list-style-type: none"> (1) Petition fee. (2) Reply and/or issue fee. (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995, and for all design applications; and (4) Adequate showing of the cause of unavoidable delay. <p>1. Petition fee</p> <p><input type="checkbox"/> Small entity – fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input checked="" type="checkbox"/> Other than small entity – fee \$ <u>510.00</u> (37 CFR 1.17(l)).</p> <p>2. Reply and/or fee</p> <p>A. The reply and/or fee to the above-noted Office action in the form of</p> <p>Part B-Transmittal Fee (PTOL-85) (identify the type of reply):</p> <p><input type="checkbox"/> has been filed previously on _____.</p> <p><input checked="" type="checkbox"/> is enclosed herewith.</p> <p>B. The issue fee of \$ <u>1,440.00</u></p> <p><input type="checkbox"/> has been filed previously on _____.</p> <p><input checked="" type="checkbox"/> is enclosed herewith (will be paid via online deposit account)</p>		

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3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

October 31, 2007

Date

Michael A. Papalas
Typed or printed name

40,381
Registration Number, if applicable

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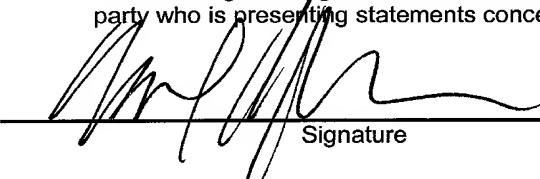
Telephone Number

Enclosure Fee Payment
 Reply
 Terminal Disclaimer Form
 Additional sheets containing statements establishing unavoidable delay
 Declaration of Scott Matthews, Affidavit of Barbara Dalbey,
 Copy of Notice of Allowance and Fee(s) with docketing stamp

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NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.



Signature

October 31, 2007

Date

Michael A. Papalas

Typed or printed name

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(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

The above-identified application became abandoned for failure to timely pay the issue fee. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained. Applicant hereby petitions the Commissioner for revival of the above-identified application for patent.

The last communication received from the U.S. Patent and Trademark Office in this application was an Office Action mailed on 7 February 2007. A Response to that Office Action was electronically sent to the Commissioner for Patents on 30 April 2007.

A Notice of Allowance was apparently mailed on 19 July 2007. However, this Action was never received by Applicant's Attorney. Applicant's Attorney recently reviewed the status of this application during a routing review of pending applications and discovered the abandoned status. Specifically, Scott Matthews discovered the Notice of Allowance through the USPTO's PAIR system on 25 October 2007.

Barbara Dalbey has provided an Affidavit indicating that Applicant's Attorney never received the Notice of Allowance. Scott Matthews has provided a Declaration describing the facts surrounding his discovery of the Notice of Allowance.

Applicant believes that the above facts, as sworn to in the accompanying declaration and affidavit, provide an adequate showing of the cause of the abandonment was unavoidable, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable. Applicant respectfully requests revival of the present application.

The Declaration of Scott Matthews of the law firm of Fulbright & Jaworski L.L.P. is being filed concurrently herewith in support of Applicant's Petition. The Affidavit of Barbara Dalbey is being filed concurrently herewith in support of Applicant's Petition.

The reasons for the unavoidable delay, as fully set forth herein and in the accompanying documents provide adequate basis for the revival of the present application.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to Deposit Account No. 06-2380, under Order No. 47524-P124US-10108968.

(Please attach additional sheets if additional space is needed)